

IN THE STATE COURT OF DOUGLAS COUNTY  
STATE OF GEORGIA

JODY SMITH,

Plaintiff,

v.

ALVIN B. PARKER and  
PREMIER, LLC,

Defendants.

CIVIL ACTION FILE NO.:  
23SV00478

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**PLAINTIFF'S RESPONSE TO DEFENDANT PREMIER, LLC'S FIRST REQUEST  
FOR ADMISSIONS TO PLAINTIFF JODY SMITH**

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COMES NOW, JODY SMITH, Plaintiff in the above-referenced matter, appearing specially and without submitting to the jurisdiction and venue of this Court, Plaintiffs response to the matter set forth below.

**REQUEST**

1.

Please admit that prior to the Accident, you had been diagnosed with conditions similar to the conditions which you allege were caused by the Accident.

**RESPONSE: Deny as stated.**

2.

Please admit that prior to the Accident, you had experienced pain in the same areas of your body which you allege were injured in the Accident.

**RESPONSE: Plaintiff admits that he experienced pain in some of the same areas. However, denies that he experienced pain in all areas.**

3.

Please admit that prior to the Accident, you had consulted with medical professionals in relation to pain in the same areas of your body which you allege were injured in the Accident.

**RESPONSE: Denies as stated.**

4.

Please admit that prior to the Accident, you had received x-rays on the same areas of your body which you allege were injured in the Accident.

**RESPONSE: Plaintiff admits he received X-Rays on some of the same area. However, Plaintiff denies he received previous X-Rays covering all areas for current injuries from the subject accident.**

5.

Please admit that prior to the Accident, you had received MRI and/or CT scans on the same areas of your body which you allege were injured in the Accident.

**RESPONSE: Plaintiff admits he received an MRI on some of the same areas. However, Plaintiff denies he received previous MRIs covering all areas for current injuries from the subject accident.**

6.

Please admit you are not currently being treated by any healthcare provider for injuries which you allege were caused by the Accident.

**RESPONSE: DENY.**

7.

Please admit that you are not currently taking any prescription medications for injuries which you allege were caused by the Accident.

**RESPONSE: DENY.**

8.

Please admit that you are not currently taking any over-the-counter medications for injuries which you allege were caused by the Accident.

**RESPONSE: DENY.**

9.

Please admit that you have not received surgery for any injuries you allege you sustained in the Accident.

**RESPONSE: ADMIT.**

10.

Please admit that surgery has not been recommended to treat any injuries you allege you sustained in the Accident.

**RESPONSE: ADMIT.**

11.

Please admit that you have fully recovered from the injuries you allege you sustained in the Accident.

**RESPONSE: DENY.**

12.

Please admit that, aside from the claim involved in this civil action, you have previously made a claim for personal injuries against an insurance company.

**RESPONSE: Plaintiff neither ADMITS nor DENIES.**

13.

Please admit aside from the claim involved in this civil action, you have previously made a claim for personal injuries against an individual or corporation.

**RESPONSE: ADMIT**

14.

Please admit that you have been convicted of a crime punishable by imprisonment of one or more years in the last 10 years.

**RESPONSE: DENY.**

15.

Please admit that you have treated with a chiropractor at some point prior to the Accident.

**RESPONSE: ADMIT.**

16.

Please admit that you have treated with a physical therapist at some point prior to the Accident.

**RESPONSE: ADMIT.**

17.

Please admit that you have treated with an orthopedist at some point prior to the Accident.

**RESPONSE: ADMIT.**

18.

Please admit that you were using a cellular device to talk at the time of the Accident.

**RESPONSE: DENY.**

19.

Please admit that you were using a cellular device to text at the time of the Accident.

**RESPONSE: DENY.**

20.

Please admit that you were using a cellular device for some purpose at the time of the Accident.

**RESPONSE: Denies as stated.**

21.

Please admit you had a cellular device inside the vehicle at the time of the Accident.

**RESPONSE: ADMIT.**

22.

Please admit that the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, within the meaning of 28 U.S.C. Section 1332(a).

**RESPONSE: ADMIT.**

23.

Please admit that the amount in controversy does not exceed the sum or value of \$75,000, exclusive of interest and costs, within the meaning of 28 U.S.C. Section 1332(a).

**RESPONSE: DENY.**

24.

Please admit that you claim an award of damages in excess of \$75,000 as a result of the Accident in this lawsuit.

**RESPONSE: ADMIT.**

25.

Please admit that you claim an award of damages of \$75,000 or less as a result of the Accident in this lawsuit.

**RESPONSE: DENY.**

26.

Please admit that you have never made a demand to Defendants to settle this case prior to the service of these Requests for Admissions.

**RESPONSE: ADMIT.**

This 18<sup>th</sup> day of August, 2023.

Respectfully submitted,

**/s/ Trevor A. Becton**

Trevor A. Becton

Bar No. 211947

*Attorney for Plaintiff*

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